

Message Text

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PAGE 01 STATE 162571

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TO AMEMBASSY LONDON IMMEDIATE

S E C R E T STATE 162571

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FOL REPEAT STATE 162571 SENT ACTION JAKARTA

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S E C R E T STATE 162571

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E.O.11652:YGDS)

TAGS: PLOS

SUBJECT: LOS: LETTER FROM ACTING SECRETARY TO INDONESIAN

FOREIGN MINISTER MALIK

FOR AMBASSADOR FROM ACTING SECRETARY

1. THE U.S. REPRESENTATIVES TO LOS CONFERENCE, AMBASSADOR JOHN R. STEVENSON AND JOHN NORTON MOORE BELIEVE THAT THE MOST RECENT DISCUSSIONS WITH INDONESIAN DELEGATION ON THE ARCHIPELAGO CONCEPT HAVE BROUGHT THE TWO SIDES CLOSER

SECRET

SECRET

PAGE 02 STATE 162571

TOGETHER. DIFFERENCES REMAIN WITH RESPECT TO OVERFLIGHT

OF AN ARCHIPELAGO, BREADTH OF ARCHIPELAGIC SEALANES AND SUPPORT FOR THE U.S. STRAITS POSITION. INDONESIAN MINISTER OF JUSTICE MOCHTAR INDICATED CONFIDENTIALLY ON JULY 17 THAT HIGH LEVEL U.S. DEMARCHE TO GOI URGING INDONESIAN ACCEPTANCE OF RIGHT OF OVERFLIGHT OVER ARCHIPELAGO WOULD BE USEFUL AT THIS TIME. THE U.S. DELEGATION BELIEVES THAT SUCH A DEMARCHE COULD HELP ACHIEVE THE BREAKTHROUGH IN US-INDONESIAN EFFORTS NEEDED TO REACH AN OVERALL ACCOMMODATION ON THE INTERLINKED ISSUES OF ARCHIPELAGOES AND UNIMPEDED TRANSIT OF STRAITS.

2. DEPARTMENT CONCURS IN THE DELEGATION'S RECOMMENDATION. YOU SHOULD TRANSMIT THE LETTER BELOW TO GOI FOREIGN MINISTER MALIK AS SOON AS POSSIBLE.(WE UNDERSTAND MALIK

MAY BE OUT OF COUNTRY, IN WHICH CASE LETTER TO HIM SHOULD BE DELIVERED TO ACTING FOREIGN MINISTER, GENERAL SJARIF THAJEB.) TEXT OF LETTER FOLLOWS:

"DEAR MR. MINISTER:

I HAVE FOLLOWED WITH INTEREST THE CONSULTATIONS BETWEEN OUR TWO GOVERNMENTS INITIATED BY THE EXCHANGE OF LETTERS BETWEEN PRESIDENTS NIXON AND SUHARTO. PROGRESS HAS BEEN EVIDENT AND THERE IS NOW AN OPPORTUNITY FOR AN UNDERSTANDING BETWEEN OUR TWO COUNTRIES WHICH WOULD ENABLE ACTIVE SUPPORT OF THE ARCHIPELAGO PRINCIPLE BY THE UNITED STATES.

AN EARLY UNDERSTANDING BETWEEN US THAT ADEQUATELY ACCOMMODATES THE INTERESTS OF ARCHIPELAGIC STATES AND THE INTERESTS IN NAVIGATION AND OVERFLIGHT OF ARCHIPELAGOES AND STRAITS WOULD VIRTUALLY ENSURE ACCEPTANCE OF THE ARCHIPELAGO PRINCIPLE AT THE LAW OF THE SEA CONFERENCE AND WOULD BE OF GREAT ASSISTANCE TO MY COUNTRY IN SECURING OUR VITAL STRAITS AND NAVIGATIONAL OBJECTIVES. SUCH AN UNDERSTANDING WOULD ALSO PLACE INDONESIA AND THE UNITED STATES IN THE FOREFRONT OF CONSTRUCTIVE EFFORTS TO PRODUCE A TIMELY AND SUCCESSFUL

SECRET

SECRET

PAGE 03 STATE 162571

CONFERENCE AND PROVIDE LEADERSHIP FOR AGREEMENT IN OTHER AREAS.

THE CONTINUING NEGOTIATIONS BETWEEN US IN JAKARTA, WASHINGTON AND CARACAS HAVE NARROWED DIFFERENCES TO THE POINT WHERE I BELIEVE A COMMON POSITION ON THE ARCHIPELAGO PRINCIPLE AND STRAITS IS CLEARLY ATTAINABLE. IN VIEW OF THE MUTUAL IMPORTANCE OF THIS SUBJECT, I

HOPE THAT YOU WILL TAKE A PERSONAL INTEREST IN ENSURING THAT TRANSIT BY AIRCRAFT, WHICH IS AN ESSENTIAL PART OF THE U.S. PROPOSAL AND IS ONE OF THE FEW REMAINING DIFFERENCES, IS INCLUDED IN THE TRANSIT REGIME. IT IS NOT ONLY DESIRABLE, BUT NECESSARY, THAT OUR COUNTRIES REACH AN UNDERSTANDING ON THESE ISSUES WITHIN THE NEXT FEW DAYS IN ORDER THAT OUR DELEGATIONS MAY TAKE APPROPRIATE STEPS TO INFLUENCE THE NEGOTIATIONS DURING THE FEW REMAINING WEEKS AT CARACAS.

I BELIEVE THAT AN EARLY UNDERSTANDING BETWEEN INDONESIA AND THE UNITED STATES WILL SERVE THE INTERESTS OF BOTH COUNTRIES IN ACHIEVING THEIR MOST VITAL OBJECTIVES IN THE LAW OF THE SEA CONFERENCE.

IT WAS A PLEASURE TO MEET WITH YOU IN JAKARTA THIS PAST FEBRUARY AND I LOOK FORWARD TO AN OCCASION TO RENEW OUR FRIENDSHIP.

WITH BEST REGARDS, SINCERELY, ROBERT S. INGERSOLL"

3. IN CONVEYING ABOVE LETTER TO MALIK (OR THAJEB) YOU SHOULD EXPRESS IN MANNER YOU DEEM APPROPRIATE, HOPE THAT MATTER BE BROUGHT TO ATTENTION OF PRESIDENT SUHARTO IN VIEW OF HIS PAST EXCHANGE OF CORRESPONDANCE ON SUBJECT WITH PRESIDENT NIXON. YOU SHOULD EMPHASIZE POSITIVE ASPECTS OF PROGRESS TO DATE AND STRESS THAT CONCESSIONS ON BOTH SIDES HAVE BROUGHT US NEAR TO AGREEMENT. POINT MAY ALSO BE NOTED THAT U.S. PUBLIC POSTURE IS OPPOSITION TO ARCHIPELAGO PRINCIPLE AND THAT DELAY IN RESOLVING OUTSTANDING DIFFERENCES HURTS CHANCES OF ACHIEVING OUR MUTUAL OBJECTIVES. FYI: U.S. RESTRAINT ON ACTIVE OPPOSITION TO ARCHIPELAGO CONCEPT AT LOS CONFERENCE IS
SECRET

SECRET

PAGE 04 STATE 162571

UNDER STRAIN DUE TO INTRANSIGENCE OF PHILLIPINES AND THEIR CONTINUED PUBLIC OPPOSITION TO US STRAITS POSITION. END FYI. WE CANNOT LET THE NEGOTIATIONS PROCEED MUCH FURTHER WITHOUT RECOURSE TO ACTIVE PUBLIC OPPOSITION TO THE ARCHIPELAGO PRINCIPLE IF EARLY AGREEMENT IS NOT ACHIEVED.

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